

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEREMY LEVIN AND DR. LUCILLE LEVIN, :

Plaintiffs, :

: Case No. 09-Civ-5900 (RPP)

v. :

BANK OF NEW YORK, *et al.*, :

Defendants. :

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THE BANK OF NEW YORK MELLON, *et al.* :

Third-Party Plaintiffs, :

v. :

ESTATE OF MICHAEL HEISER, *et al.*, :

Third-Party Defendants. :

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**OPPOSITION OF THE ESTATE OF MICHAEL HEISER, ET AL.
TO THE MOTION FOR LEAVE TO INTERVENE
FILED BY PROPOSED INTERVENOR JAY GLENN**

The Estate of Michael Heiser, *et al.* (the “Heisers”) by their undersigned counsel, hereby submit the following opposition to the Motion for Leave to Intervene (the “Motion”) filed by proposed intervenor Jay Glenn (“Mr. Glenn”). The Heisers join in the Plaintiffs Jeremy Levin and Dr. Lucille Levin’s Opposition to Motion for Leave to Intervene (the “Levin Opposition”) (Dkt. No. 355) and adopt the arguments made therein.

Mr. Glenn’s claim is based upon his representation of the “Peterson Plaintiffs” whom Mr. Glenn represented in an action in the United States District Court for the District of Columbia. The Peterson Plaintiffs, however, have asserted no claim to the assets at issue in this matter.

Therefore, Mr. Glenn has no claim against any assets in this proceeding in satisfaction of his purported charging lien for attorneys' fees.

Accordingly, the Motion should be denied.

Dated: New York, New York
March 30, 2011

/s/

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